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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inter Patent Application of

Toshiyuki Toyofuku et al.

Date: January 28, 2003

Serial No.: 09/096,395

Group Art Unit: 2612

Filed: June 11, 1998

Examiner: J.M. Villecco

For: DIGITAL CAMERA HAVING A FEATURE FOR WARNING
A USER OF INSUFFICIENT MEMORY (As Amended)

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FEB 10 2003

Technology Center 2600

Assistant Commissioner for Patent
Washington, DC 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 23, 2002 of the Primary Examiner finally rejecting claims 13-18, 20 and 22-28.

The Appeal Fee (\$320 - Non-Small Entity) is [☒] enclosed in Check No. 14929.

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 28, 2003:

Max Moskowitz

Name of applicant, assignee or
Registered Representative

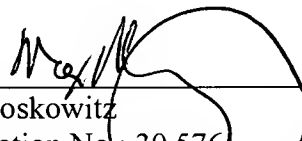


Signature

January 28, 2003

Date of Signature

Respectfully submitted,



Max Moskowitz

Registration No: 30,576

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

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